

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

SBFI-NORTH AMERICA, INC.,)	
)	
)	
)	
Plaintiff,)	
)	Civil Action No.: 1:12-cv-197-MR
vs.)	
)	
MASS ENGINEERED DESIGN, INC., and)	
JERRY MOSCOVITCH,)	
)	
Defendants.)	
)	
)	
)	
)	
)	

**AGREED MOTION EXTENDING TIME OF
DEFENDANTS MASS ENGINEERED DESIGN, INC.
AND JERRY MOSCOVITCH TO RESPOND TO COMPLAINT**

Plaintiff SBFI-North America, Inc. ("SBFI"), through its undersigned counsel, hereby moves for an Order extending the time for Defendants MASS Engineered Design, Inc. ("MASS") and Jerry Moscovitch ("Moscovitch") (collectively, "Defendants") to respond to the Complaint to January 26, 2013.

In support of this Motion, Plaintiff states as follows:

1. On August 6, 2012, SBFI filed its Complaint against Defendants.
2. At present, the deadline for Defendants to respond to the Complaint is December 26, 2012 pursuant to an Agreed Motion Extending Time granted by the Court.

3. Defendants have informed Plaintiff that Defendants have not yet retained counsel to represent them in this litigation and to request an additional extension of time in which to respond to the Complaint.

4. The Parties have agreed on the terms of a Stipulated Dismissal of this Action, subject to the execution of a Settlement Agreement. The Parties anticipate that a draft of the Settlement Agreement will be emailed to the Defendants by Plaintiff's Counsel on or about December 21, 2012. Defendants and SBFI have agreed to the proposed extension to January 26, 2013 for Defendants to respond to the Complaint.

5. Because Defendants are not yet represented by counsel, SBFI represented that it would file this Motion to request the Court's approval of the proposed extension to January 26, 2013, and that it would serve Defendants with copies of this Motion and any communications with the Court concerning this Motion electronically at the address stated on the Certificate of Service.

WHEREFORE, SBFI requests that the Court extend the time for Defendants to respond to the Complaint to January 26, 2013.

Dated this 19th day of December, 2012.

/s David M. Carter
David M. Carter - NC Bar No. 8605
Van Winkle, Buck, Wall, Starnes
and Davis, P.A.
11 N. Market Street
P. O. Box 7376
Asheville, NC 28802
Tel: (828) 258-2991
Fax: (828) 257-2773
Email: dcarter@vwlawfirm.com
Attorney for SBFI-North America, Inc.

CERTIFICATE OF SERVICE

The undersigned does hereby certify that he has this day electronically served the foregoing AGREED MOTION EXTENDING TIME OF DEFENDANTS MASS ENGINEERED DESIGN INC. AND JERRY MOSCOVITCH TO RESPOND TO COMPLAINT to Defendants MASS Engineered Design, Inc. and Jerry Moscovitch as follows:

Allan Tameshtit
Director of Intellectual Property
MASS Engineered Design Inc.
allant@massedi.com

This the 19th day of December, 2012.

/s David M. Carter